

CALIFORNIA DEPARTMENT OF FISH AND GAME
MARINE LIFE PROTECTION ACT
DRAFT WORKING GROUP PROCESS
JUNE 14, 2002

The Marine Life Protection Act (MLPA or Act) requires that the Department of Fish and Game (Department) prepare a Master Plan for Marine Protected Areas (MPAs) using the “advice, assistance, and involvement of participants in the various fisheries and their representatives, marine conservationists, marine scientists, and other interested persons” [Fish and Game Code, Section 2855(b)(4)]. In order to fulfill this requirement and effectively involve a broad range of constituents throughout the State, the Department has established seven Regional Working Groups. The Working Groups include representatives from a variety of constituencies. Planned meetings of the Working Groups will generally be in major port areas along the California coast. This document is intended to provide guidelines to the Working Group participants and describe the Working Group Process.

A. HOW WERE THE WORKING GROUPS APPOINTED?

Department Director Robert C. Hight appointed the Regional Working Groups through an open, statewide nomination process. Department staff assisted the Director in the appointment process and used a standard set of criteria to make selections, including: the ability to be representative of a group or constituency; knowledge of the issues and processes, the availability of time, and the desire to achieve a balance of representation and geographic location.

B. WHAT IS THE ROLE OF THE WORKING GROUPS?

The Working Groups will make recommendations for a range of alternative proposals for MPAs to the Department. These recommendations must be guided by the goals and objectives listed in the MLPA. The input received from the Working Groups will be presented to the Director without changes from the Department. However, this does not mean that all Working Group recommendations will necessarily be incorporated in the final Master Plan.

The Working Group process will be supported by input from an expert panel of ecological, fisheries, social, and economic scientists (see role of the Master Plan Team below). The Working Groups will develop information on how each potential MPA addresses various MLPA goals as well as rationale for the MPA's creation. The Master Plan Team scientists will provide analyses of each site and descriptions of their potential ecological, fisheries, and socioeconomic impacts.

As a starting point, the Regional Working Groups will be asked to review the MLPA goals and objectives. The Working Groups will then apply these broad programmatic goals and objectives to their local regions to develop regional marine resource objectives or “visions for the future” of marine resources. Recommendations can then

be made on how the existing array of MPAs can be improved to meet these marine resource objectives. The final result will be recommendations for a range of alternative MPAs.

Once recommendations for alternative MPAs are developed, the Regional Working Groups will look at other factors such as funding, management, monitoring, and enforcement that may effect the implementation of MPAs. The Master Plan can include suggestions for MPA implementation phasing and the Working Groups can provide input on how phasing may assist with implementation.

C. WHAT IS THE ROLE OF THE MLPA MASTER PLAN TEAM?

The MLPA required that the Department convene a Master Plan Team (Team) to “advise and assist in the preparation of the Master Plan” [Fish and Game Code, Section 2855(b)(1)]. The Act specified that the Team be composed of staff from the Department, Department of Parks and Recreation, and State Water Resources Control Board as well as five to seven scientists and one member appointed from a list prepared by Sea Grant marine advisers. This team has already contributed substantially to early planning and preparation of the Initial Draft Concepts.

The Master Plan Team will continue to function in an advisory and analytical role as the process continues. Members of the Team will be available at each Regional Working Group meeting to provide scientific expertise and advice directly to the Working Group members. At specific points in the process the Team will be asked to review and comment on various alternatives developed by the Working Groups. They will provide analyses of alternatives and suggestions for modifications back to the Working Groups and directly to the Department.

Changes to the Master Plan Team may be appropriate at this time. The Act specifies, “the Department may engage other experts to contribute to the master plan” [Fish and Game Code, Section 2855(b)(5)]. It has been suggested that a combined socioeconomic, ecological, and fisheries science panel would best provide input and advice on the process. The Department will explore the possibility of adding scientists to the existing Team to fulfill this role.

D. WHAT IS THE DEPARTMENT’S ROLE IN THE PROCESS?

The Department is the convening agency for the process and is seeking the advice and recommendations of the Working Groups. This advice will be used in the development of the draft Master Plan and a preferred alternative MPA proposal. The Act requires that the Master Plan, a preferred alternative, and a range of other alternatives be provided to the Fish and Game Commission (Commission).

A Statewide committee may be formed from members of each Working Group. This Committee could help coordinate regional recommendations into the Statewide Master Plan. Using the Working Groups’ and statewide committee’s input the Department will

develop a reasonable range of alternatives and a draft preferred alternative. This will be included in the first draft Master Plan. The draft Master Plan will be reviewed with the Regional Working Groups and revised to ensure they adequately reflect the broad range of views expressed. The revised draft may then be presented to the Commission for additional public comment and review.

E. WHAT ARE THE MAJOR PROCESS STEPS AND PROPOSED MEETING AGENDAS?

While the exact schedule of meetings and agendas has not been set, the general process has been developed. The overall steps were created using the input received in small group meetings with a wide range of constituents, input from outside experts, and suggestions from the process' independent neutral facilitator. Further details will be developed once the Working Groups begin meeting and may change based on how rapidly discussions progress. Different regions may also work at different paces or require more time to develop recommendations.

For each step below various parts are listed. The parts may be individual meetings, but may take more or less time as needed. Many parts contain specific points that the Working Group members will be asked to discuss with their constituencies. At subsequent meetings the views on these points can then be more completely understood and used to develop and refine recommendations.

Step I - Establish Regional Working Groups

This step has been completed. Seven Regional Working Groups were chosen to represent various constituencies at planning workshops. Membership was selected from a list of more than 350 nominees suggested by their constituencies.

Step II - Review MLPA Guidelines and Establish a Process Schedule

The first set of Regional workshops will begin in July 2002.

- **Part 1 – Orientation**

The first series of Working Group meetings will bring the broader MLPA regions together for an orientation to the process. Meetings will be held in Long Beach, Monterey, and Eureka and individual Working Group Members will have the chance to meet one another and discuss the process. The Department will review the MLPA mandate and members of the Department and Master Plan Team will provide introductions to the science and economics of MPAs. In addition the Working Groups will begin to build their capacity to have meaningful deliberations. The Working Groups will receive examples of available data and an analysis of existing MPAs.

Step III - Discussions of Alternatives

- **Part 2 – Working Group Process and Available Data**

This portion of the process will focus on finalizing the overall timeline and long-term meeting schedule. In addition the available data, including the analyses of existing

MPAs and existing socio-economic information, will be reviewed in detail with input from the Master Plan Team. Working Groups will discuss this existing data and review how the data can be used to help them move forward in their deliberations. Working Group participants will be asked to begin discussing regional objectives and visions for the future of marine resources with their various constituencies.

- **Part 3 – Regional Objectives and Vision for Marine Resources**
This part will focus on discussions of the various constituencies' visions and how they relate and differ. Once a regional set of objectives is developed existing MPAs will be reviewed. Working Group Participants will be asked to begin discussing whether or not existing MPAs meet the local vision, goals and objectives.
- **Part 4 - Relationship between Existing MPAs and Regional Objectives and Vision**
Members of the Master Plan Team will provide input on how the existing MPAs have functioned and various socioeconomic impacts. Working Group members will begin to discuss how the existing array of MPAs might need to be altered in order to meet regional objectives and fulfill the regional vision. Working Group members will be asked to discuss these potential changes with their constituencies and prepare to look at alternative proposals for MPAs.

Step IV - Determine an Initial Range of Alternatives

- **Part 5 – Suggestions for Improvements to the Existing Array**
Working Group members will recommend potential spatial alternatives for MPAs. Working Groups will have access to relevant Department data and information developed by the Master Plan Team. The alternatives will represent the range of constituent views discussed at the workshops.
- **Part 6 – Narrowing the Range of Alternatives**
The recommendations from Part 5 will be analyzed using the goals, objectives, and guidelines provided in the MLPA as well as the regional objectives and vision. The range will be narrowed, to the extent possible, to facilitate additional review.

Step V - Socioeconomic and Scientific Review

A critical step in the process will be a technical review of spatial alternatives. The Master Plan Team will provide scientific review. External peer review of draft alternatives will occur when a more formal draft Master Plan is available later in the process and provide critical input on the ecological value and potential fishery benefits of various alternatives. This formal peer review may be arranged in a manner similar to that established for the Nearshore Fishery Management Plan.

- **Part 7 – Results of the Expert Review**
Members of the Master Plan Team will provide input to the Working Group members on the initial range of alternatives. This input will be discussed along with the Team's suggestions for changes to the initial range. Working Groups will revise their

initial recommendations and develop a draft range of alternatives to forward to the Department.

Step VI - Discussion of Reviews and Alternatives

- **Part 8 – Implementation Recommendations**
Once final changes to the draft range of alternatives have been made, additional discussion will focus on how best to implement the various alternatives; particularly with regard to available funding, what types of monitoring are required, and whether certain portions should be completed prior to others through phasing. These implementation recommendations will be forwarded to the Department.
- **Part 9 – Draft Master Plan Development and Review**
Based on the results of the Working Group process the Department will draft the master plan, including a preferred alternative and a range of alternative MPAs proposals. This draft will be brought back to the Working Groups to ensure that the range of input has been adequately represented. Adjustments may be made to fully incorporate Working Group recommendations.
- **Part 10 – Final Public Review and External Peer Review**
The draft Master Plan and full range of MPA alternatives will be released for final public review and comment and formal external peer review prior to being delivered to the Commission. Comments from the peer review will be incorporated into the final draft.

Step VII - Final Draft Presentation and Review

The final step will be the presentation of the draft Master Plan and preferred alternative to the Commission. This document will also contain the range of alternatives developed in the preceding steps. After an initial review period in the Commission forum the Department will present a revised draft Master Plan and proposed regulations for MPAs statewide. At this time the Department will also provide a draft Environmental Impact Report describing the proposed project, alternatives, and potential impacts to the environment. The Commission will then hear additional comments on the Master Plan, regulations, and draft Environmental Impact Report prior to adoption of the Master Plan and implementation of the proposed regulations.